

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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NICKI BOYD.

Plaintiff,

Case No. 2:15-cv-01814-GMN-PAL

V.

LAS VEGAS DETENTION CENTER
KITCHEN,

Defendant.

AMENDED REPORT OF FINDINGS AND RECOMMENDATION

This amendment corrects a scrivener's error in the original Report of Findings and Recommendation, which stated that Plaintiff's new application to proceed *in forma pauperis* was due on December 30, 2014, and omitted the notice regarding written objections.

* * *

This matter is before the Court on Plaintiff Nicki Boyd’s (“Boyd”) failure to comply with the Court’s Order (Dkt. #2). Boyd filed an incomplete Application to Proceed *In Forma Pauperis* (Dkt. #1) on September 21, 2015. The Court could not determine whether Plaintiff qualified to proceed *in forma pauperis* (“IFP”). On November 30, 2015, the Court entered an Order (Dkt. #2) denying Plaintiff’s IFP Application without prejudice, directing the Clerk of Court to mail Plaintiff a new IFP application, and allowing Plaintiff to file a completed IFP application or pay the \$350 filing fee on or before December 30, 2015. *Id.* The Order warned Plaintiff that a failure to file a completed IFP application would result in a recommendation to the District Judge that this case be dismissed. Plaintiff has not filed a completed IFP application, requested an extension of time, or taken any other action to prosecute this case.

Accordingly,

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IT IS RECOMMENDED that Plaintiff's Application to Proceed *In Forma Pauperis* be DENIED and this action be DISMISSED without prejudice to the Plaintiff's ability to commence a new action in which she either pays the appropriate filing fee in full or submits a completed application to proceed *in forma pauperis*.

IT IS FURTHER RECOMMENDED that the Clerk of the Court be instructed to close this case and enter judgment accordingly.

DATED this 2nd day of February, 2016.

Peggy A. Leen
PEGGY A. LEEN
UNITED STATES MAGISTRATE JUDGE

NOTICE

These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to 28 U.S.C. § 636(b)(1). Within 14 days after being served with these findings and recommendations, any party may file written objections with the Court. Pursuant to LR IB 3-2(a) of the Local Rules of Practice, any party wishing to object to the findings and recommendations of a magistrate judge shall file and serve *specific written objections* together with points and authorities in support of those objections, within 14 days of the date of service of the findings and recommendations. The document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” The parties are advised that failure to file objections within the specified time may waive the right to appeal the District Court’s Order. *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991). The points and authorities filed in support of the specific written objections are subject to the page limitations found in LR 7-4.